

Interview Summary

Application No.

08/942,369

Applicant(s)

Chen et al

Examiner

Marjorie Moran

Group Art Unit

1623



All participants (applicant, applicant's representative, PTO personnel):

(1) Marjorie Moran

(3) _____

(2) Richard San Pietro

(4) _____

Date of Interview Jul 21, 1999

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: 20-24 and 26

Identification of prior art discussed:

JOHNSON and EDBERG

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The attorney was informed that the after-final response filed 7/8/99 had been considered, and that the examiner was maintaining the rejection of claims 20-24 and 26. She pointed to EDBERG, previously supplied with the interview summary of 6/30/99, as support for enablement of JOHNSON's medium selective for uropathogens, exemplified as gram negative bacteria. In addition, the examiner informed the attorney that the IDS filed 6/30/99 had not been considered as it must be accompanied by a petition under 37 CFR 1.97(d). The attorney argued that EDBERG did not teach the same medium taught by applicant in the instant specification. The examiner answered that the only medium claimed was a selective medium; which functional limitation is taught by both JOHNSON and EDBERG. She advised the attorney that if the ingredients of the medium are considered critical to the invention, they should be recited in the claims.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.